



OFFICE OF THE ADJUTANT GENERAL

**North Dakota National Guard
Department of Emergency Services**

*The Honorable Doug Burgum
North Dakota Governor*

*Major General Alan S. Dohrmann
The Adjutant General and
Director of Emergency Services*

June 3, 2019

Mr. Curtis Waltman
MuckRock
DEPT MR 35370
411A Highland Ave
Somerville, MA 02144-2516

Dear Mr. Waltman:

This letter is to acknowledge receipt of your Freedom of Information Act (FOIA) request sent to the U.S. Department of Homeland Security, dated March 30, 2017. U.S. Department of Homeland Security forwarded a referral of responsive records on April 29, 2019 to the federally-recognized North Dakota Army National Guard for review and processing. The referral and your request are being processed and assigned (case #FA-19-0005)

If you have any questions regarding the referral or your request please contact the FOIA office at 701-333-2021 or by e-mail at nq.nd.ndarng.list.foia@mail.mil.

Sincerely,

A handwritten signature in dark ink, appearing to read "Amber Wilson".

Amber Wilson
Freedom of Information/Privacy Act Manager



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*North Dakota National Guard
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June 4, 2019

Mr. Curtis Waltman
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DEPT MR 35370
411A Highland Ave
Somerville, MA 02144-2516

Dear Mr. Waltman:

This letter is in response to a referral from U.S. Department of Homeland Security from your Freedom of Information Act (FOIA) request dated March 30, 2017. The referral and your request were received by the federally-recognized North Dakota Army National Guard on April 29, 2019 for records seeking any intelligence reports, open source reports, emails, intelligence data, photographs, film footage, or notes, concerning the NoDAPL protest at Standing Rock from August 1, 2016 to the date this request is processed. (Case #FA-19-0005)

The referral is granted in full. Enclosed are 29 pages responsive to this referral and your request.

If you consider this response to be adverse in nature, you may appeal this determination to the Secretary of the Army within 60 days from the date of this letter. Your appeal should include a copy of your original request and this response, as well as a discussion of the reason supporting your appeal. The envelope should be plainly marked to indicate that it contains a FOIA appeal.

North Dakota Army National Guard
Freedom of Information/Privacy Act Office
PO Box 5511
Bismarck, ND 58506-5511

As a requester in the "all other" fee category, you have received the first 2 hours of search time and first 100 pages of reprographics at no cost; therefore, there are no assessable fees for processing your request.

This concludes the processing of your request. If you have any questions regarding your request please contact the FOIA Office at (701) 333-2021 or by e-mail at ng.ng.ndarng.list.foia@mail.mil.

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Drew, Courtenay, can you arrange a room/time for Monday afternoon?

Thanks all,

Pete

-----Original Message-----

From: Dohrmann, Alan S MG USARMY NG NDARNG (US) [mailto:alan.s.dohrmann.mil@mail.mil]

Sent: Friday, February 10, 2017 11:08 PM

To: Gautier, Peter W. EOP/NSC <Peter_W_Gautier@nsc.eop.gov>

Cc: Laney, Paul <LaneyP@casscountynd.gov>; Jonathan F. Thompson <jfthompson@sheriffs.org>;

'Rauschenberger, Ron W.' <r-rausche@nd.gov>; Bachmeier, Levi <lebachmeier@nd.gov>; Gerhart, Col. Michael T. <mtgerhart@nd.gov>

Subject: DAPL Protest (UNCLASSIFIED)

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Alan S. Dohrmann
MG, NDARNG
The Adjutant General/Director of Emergency Services
State of North Dakota

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Sent: Saturday, February 11, 2017 9:38 AM

To: Holmes, Christopher D Col USAF JS J5 (US ; Robert Salesses ; Thomas Lacrosse ; Humbert, Harry ; Branum, Lisa ; Havranek, John ; Bibo, David ; Dozor, Joshua
Cc: Cramer, Drew W. EOP/NSC ; Rickards, Courtenay M. EOP/NSC
Subject: DAPL Protest (UNCLASSIFIED)

All,

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Cc: Lancy, Paul ; Jonathan F. Thompson ; 'Rauschenberger, Ron W.' ; Bachmeier, Levi ; Gerhart, Col. Michael T.

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Sent: Friday, February 10, 2017 11:08 PM
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Regards,
Dave

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Cc: Laney, Paul <LaneyP@casscountynd.gov>; Jonathan F. Thompson <jfthompson@sheriffs.org>;
'Rauschenberger, Ron W.' <r-rausche@nd.gov>; Bachmeier, Levi <lebachmeier@nd.gov>; Gerhart, Col. Michael T.
<mtgerhart@nd.gov>
Subject: DAPL Protest (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

Mr. Gautier,

Thank you for taking the time to speak with me, Sheriff Laney and Mr. Thompson. I know you convened a Coordination and Management meeting today to get the ball rolling on federal support. With the return of warmer weather and the issuance of the easement, we believe time is of the essence.

We appreciate the additional BIA officers providing rule of law on the Standing Rock Sioux Reservation and we currently have all areas of Morton County, North Dakota secured, with the exception of the USACE lands that have hosted the protest Camps for the past 6 months. While camp numbers are down to the hundreds, they have swelled into the thousands in the past in a matter of days. The "Veterans" groups are returning and appear to be prepared for a fight (based on reliable information). Planes into Bismarck are full and rental cars are booked. The time is now to return rule of law to this area. With unseasonably warm temperatures for the next couple of weeks, we face a triple threat of large violent protests, risk to human life (most protesters are in the flood plain) and a devastating environmental disaster if this Federal Corps land is not cleared and cleaned up in the next couple of weeks.

We understand there are limits on federal authorities and jurisdiction. With that said, we believe that if there is a will there is a way. The USACE told me they have the authority to deputize law enforcement on Corps Land. I am also confident that the Sheriff of Morton County would deputize Federal Law Enforcement, if required. I understand that there will concerns about optics. We share those concerns, but after mobilizing 1300 National Guard Soldiers and Airmen, in U.S. Army and U.S. Air Force uniforms, to support law enforcement, we also know that these concerns can be mitigated. I believe that if we continue to highlight the threats to public safety (potential emergency evacuation during a flood) and the risk to the environment, a professional law enforcement operation supported by public information and diplomacy, will be successful in a joint local, state, federal operation. We are prepared to discuss a Presidential Declaration or using ESF 13. I also believe that a request for mutual assistance between USACE and a federal law enforcement agency may be an option. In any case, we need to convene planners from local, state and federal agencies as soon as possible to identify requirements and plan operations.

If you have any questions, or would like to discuss options, I'm available at your convenience at 701-426-0185.

Respectfully,

Alan S. Dohrmann
MG, NDARNG
The Adjutant General/Director of Emergency Services
State of North Dakota

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require such emergency assistance in the future - is not at the point where Stafford Act assistance is required to support the State.

In the California situation, unlike in North Dakota at this time, the Governor declared a state of Emergency and their EOC is at full activation. The State has deployed its incident management team, its swift water SAR teams, and is supporting evacuations of about 192,000 people. As of this morning, shelters are open with 350 occupants and the State has indicated a need for logistics commodities.

- josh

Joshua C. Dozor
Director, Planning and Exercises
FEMA Response Directorate
Cell: 202-631-6877

From: Gautier, Peter W. EOP/NSC
Sent: Saturday, February 11, 2017 9:37:41 AM
To: Holmes, Christopher D Col USAF JS J5 (US; Robert Salesses; Thomas Lacrosse; Humbert, Harry; Branum, Lisa; Havranek, John; Bibb, David; Dozor, Joshua
Cc: Cramer, Drew W. EOP/NSC; Rickards, Courtenay M. EOP/NSC
Subject: DAPL Protest (UNCLASSIFIED)

All,

Forwarding you observations from the North Dakota TAG from last night. I'd like to make sure we're all in the comms loop with a common understanding of concerns. He presents a number of approaches similar to our discussions yesterday worthy of examining.

Harry, when will the 40 additional DOI LE personnel arrive? I was heartened yesterday to hear that DOI is dispatching incident management team from the fire service to help with ops planning and coordination. Do you have any details on that (e.g. how many folks and from what service)?

Thanks for the discussion yesterday - it was very helpful to level set with a common understanding of the situation. We should all have a clearer view of the facts on Monday with the due outs from yesterday's meeting and I'd like to convene a smaller group of you with these on the table so we can find a way to close the resource gap (that everyone seems to agree exists). Perhaps just two from DOI, DOD/USACE, DHS, and DOJ.

Drew, Courtenay, can you arrange a room/time for Monday afternoon?

Thanks all,

Pete

-----Original Message-----

From: Dohrmann, Alan S MG USARMY NG NDARNG (US) [<mailto:alan.s.dohrmann.mil@mail.mil>]
Sent: Friday, February 10, 2017 11:08 PM

To: Gautier, Peter W. EOP/NSC <Peter_W_Gautier@nsc.eop.gov>
Cc: Laney, Paul <LaneyP@casscountynd.gov>; Jonathan F. Thompson <jfthompson@sheriffs.org>;
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Cc: Lancy, Paul <LaneyP@casscountynd.gov>; Jonathan F. Thompson <jfthompson@sheriffs.org>;

'Rauschenberger, Ron W.' <rrousche@nd.gov>; Bachmeier, Levi <lebachmeier@nd.gov>; Gerhart, Col. Michael T. <mtgerhart@nd.gov>

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